

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

ACTIVISION TV, INC., §
Plaintiff, §
v. §
PINNACLE BANCORP, INC., §
and §
JON BRUNING, Attorney General of § Civil Action No. 8:13-cv-00215
Nebraska (in his official capacity); §
DAVID D. COOKSON, Chief Deputy §
Attorney General of Nebraska (in his §
official capacity); DAVID A. LOPEZ, §
Assistant Attorney General of Nebraska §
(in his official capacity), §
Defendants. §

**PLAINTIFF ACTIVISION TV, INC.'S MOTION TO ENJOIN ENFORCEMENT BY
DEFENDANTS BRUNING, COOKSON, AND LOPEZ
OF THE JULY 18 NEBRASKA AG CEASE AND DESIST ORDER
AS IT RELATES TO AND IMPAIRS LAWFUL ACTIVITIES OF ACTIVISION**

COMES NOW, Plaintiff Activision TV, Inc. and moves this Court pursuant to FED. R. Civ. P. 65 for a preliminary injunction enjoining Defendants Bruning, Cookson and Lopez (collectively “the Nebraska AG”) from taking any steps to enforce the Cease and Desist Order issued to Farney Daniels PC on July 18, 2013 in any manner that would prevent or impede the Farney Daniels firm from representing Activision in connection with licensing and litigation of U.S. patents owned by Activision with respect to companies based in, or having operations in, Nebraska.

Additionally, pursuant to NECivR 7.1 (d) and (e), Activision respectfully requests oral argument on its Motion for preliminary injunction because the injunction is necessary to preserve

the status quo pending the determination of this case on the merits. Activision estimates that its presentation would take less than one hour.

WHEREFORE, for the reasons more fully detailed in the accompanying Memorandum in Support, Activision respectfully requests the Court grant its preliminary injunction enjoining the Nebraska AG Defendants' enforcement of the July 18 Cease and Desist Order, and permit oral argument regarding the same.

August 19, 2013

ACTIVISION TV, INC., Plaintiff

By: /s/ John P. Passarelli

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CERTIFICATE OF SERVICE

I hereby certify that all counsel of record, who are deemed to have consented to electronic service are being served August 19, 2013, with a copy of this document via the Court's CM/ECF system.

/s/ John P. Passarelli
John P. Passarelli